

JCS25 U.S. PTO  
12/19/01

12.22-01

A

**UTILITY PATENT APPLICATION TRANSMITTAL**

(CLAIMING BENEFIT TO PROVISIONAL APPLICATION)  
(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

50325-0604

**TO THE COMMISSIONER FOR PATENTS:**

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, L. Alexander Clemm, et al., entitled MANAGING PACKET VOICE NETWORKS USING A VIRTUAL SWITCH APPROACH, for a(n):

- (X) Original Patent Application that claims the benefit of prior U.S. Provisional Application 60/314,745, filed August 24, 2001.
- ( ) Continuing Application (prior application not abandoned):
- ( ) Continuation ( ) Divisional ( ) Continuation-in-part (CIP)  
of prior application No: \_\_\_\_\_ Filed on: \_\_\_\_\_
- ( ) A statement claiming priority under 35 USC § 120 has been added to the specification.

**Enclosed are:**

- (X) Specification 44 Total Pages; (X) Drawing(s) 11 Total Sheets; (X) Cover Sheet 1 Page
- (X) Oath or Declaration: 3 Pages
- (X) A Newly Executed Combined Declaration and Power of Attorney:
- (X) **Signed.** ( ) Unsigned. ( ) Partially Signed.
- ( ) A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).
- ( ) Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference in its entirety for all purposes.
- ( ) Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).
- ( ) Power of Attorney. (X) Return Receipt Postcard.
- ( ) Associate Power of Attorney. (X) A Check in the amount of \$ 904.00 for the Filing Fee.
- ( ) Preliminary Amendment. ( ) Information Disclosure Statement and Form PTO-1449.
- (X) Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
- (X) A Duplicate Copy of this Form for Processing Fee any Deficiency or Over Payment Against Deposit Account.
- ( ) A Certified Copy of Priority Documents (if foreign priority is claimed).
- (X) Recordation of Assignment Cover Sheet and **executed** Assignment.
- ( ) Other: \_\_\_\_\_

JCS25 U.S. PTO  
10/027005

12/19/01

**CLAIMS AS FILED**

FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	13	0	\$18.00	\$ 0.00
Independent Claims	4	1	\$84.00	\$ 84.00
Multiple Dependent Claims (if applicable)				\$ 0.00
Assignment Recording Fee				\$ 80.00
Basic Filing Fee				\$740.00
Total Filing Fee				\$904.00

Charge \$ \_\_\_\_\_ to Deposit Account \_\_\_\_\_ pursuant to 37 CFR § 1.25. Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: Christopher J. Palermo  
Christopher J. Palermo  
Reg. No. 42,056

Date: December 19, 2001

Correspondence Address:



29989

PATENT & TRADEMARK OFFICE

Express Mail Label No.: EL734970961US

Date of Deposit: December 19, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.


<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2002</h2> <p style="font-size: small; margin: 5px 0;">Patent fees are subject to annual revision, Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 AND 1.28</p>		<b>Complete if Known</b>	
		Application Number	
		Filing Date	
		First Named Inventor	L. Alexander Clemm
		Examiner Name	
		Group/Art Unit	
TOTAL AMOUNT OF PAYMENT		Attorney Docket No.	50325-0604

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																																		
<p>1. <input checked="" type="checkbox"/> Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.</p> <p>Deposit Account Number: <span style="border: 1px solid black; padding: 2px;">50-1302</span></p> <p>Deposit Account Name: <span style="border: 1px solid black; padding: 2px;">Hickman Palermo Truong &amp; Becker, LLP</span></p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:  <input checked="" type="checkbox"/> Check    <input type="checkbox"/> Money Order    <input type="checkbox"/> Other</p> <p>3. <input type="checkbox"/> Applicant(s) is entitled to small entity status. See 37 CFR 1.27</p>	<p><b>3. ADDITIONAL FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee \$</th> <th>Fee Code</th> <th>Fee \$</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet.</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126</td> <td>240</td> <td>126</td> <td>240</td> <td>Submission of information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td>80.00</td> </tr> <tr> <td>146</td> <td>690</td> <td>246</td> <td>345</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>690</td> <td>249</td> <td>345</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td colspan="6">Other fee (specify) _____</td> </tr> <tr> <td colspan="6">Other fee (specify) _____</td> </tr> <tr> <td colspan="6"> <div style="display: flex; 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<p><b>SUBMITTED BY</b></p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: x-small;"> <tr> <td>Name (Print/Type)</td> <td>Christopher J. Palermo</td> <td>Registration No. (Attorney/Agent)</td> <td>42,056</td> <td>Telephone</td> <td>(408) 414-1080</td> </tr> <tr> <td>Signature</td> <td></td> <td>Date</td> <td>December 19, 2001</td> <td colspan="2"></td> </tr> </table>		Name (Print/Type)	Christopher J. Palermo	Registration No. (Attorney/Agent)	42,056	Telephone	(408) 414-1080	Signature		Date	December 19, 2001			<p><b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.</p>																																																																																																																																																																					
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<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	L. Alexander Clemm
	Title	MANAGING PACKET VOICE NETWORKS USING A VIRTUAL SWITCH APPROACH
	Atty. Docket Number	50325-0604

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 19, 2001

  
 Christopher J. Palermo  
 Attorney of Record, Reg. No. 42,056

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231**

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